

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: BRAZOS ELECTRIC POWER, COOPERATIVE, INC. ¹ Debtor.	Chapter 11 Case No. 21-30725 (DRJ)
BRAZOS ELECTRIC POWER COOPERATIVE, INC., Plaintiff, v. ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC., Defendant.	Adv. Proc. No. 21-03863 (DRJ)

NOTICE OF SERVICE OF DISCOVERY

PLEASE TAKE NOTICE that Calpine Corporation, on behalf of itself and each of its affiliates, including but not limited to Calpine Energy Services, L.P., Calpine Energy Solutions, LLC, and Cavallo Energy Texas, LLC (collectively, “Calpine”); Tenaska Power Services Co. (“TPS”); NRG Energy, Inc., on behalf of itself and each of its affiliates, including but not limited to Direct Energy LP, NRG Cedar Bayou Development Company, LLC, NRG South Texas LP, NRG Texas Power LLC, NRG Power Marketing LLC, and Cirro Group, Inc. (collectively,

¹ The Debtor in this chapter 11 case, along with the last four digits its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor’s proposed claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor’s address is 7616 Bagby Avenue, Waco, TX 76712.

“NRG”); ENGIE Energy Marketing NA, Inc., on behalf of itself and each of its affiliates, including but not limited to Anson Solar Center LLC, Live Oak Wind Project LLC, Engie Long Draw Solar LLC, Las Lomas Wind Project LLC, Jumbo Hill Wind Project, LLC, Prairie Hill Wind Project, LLC, Solaire Holman 1 LLC, Seymour Hills Wind Project LLC and Engie Resources LLC (collectively, “ENGIE”); Talen Energy Supply, LLC, on behalf of itself and each of its affiliates, including but not limited to Talen Energy Marketing, LLC (collectively “Talen”); Golden Spread Electric Cooperative, Inc. (“GSEC”); South Texas Electric Cooperative, Inc. (“STEC”); and NextEra Energy Marketing, LLC, on behalf of itself and certain of its affiliates (“NEM”) (together with Calpine, TPS, NRG, ENGIE, GSEC, and STEC, the “Defendant Intervenors”), have served the attached *Defendant Intervenors’ First Requests for Production to Brazos Electric Power Cooperative, Inc.*

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Houston, TX
October 22, 2021

By: /s/ Mark McKane

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Counsel to Calpine Corporation

CERTIFICATE OF SERVICE

I certify that on October 22, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Mark McKane

Mark McKane

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: BRAZOS ELECTRIC POWER, COOPERATIVE, INC. ¹ Debtor.	Chapter 11 Case No. 21-30725 (DRJ)
BRAZOS ELECTRIC POWER COOPERATIVE, INC., Plaintiff, v. ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC., Defendant.	Adv. Proc. No. 21-03863 (DRJ)

**DEFENDANT INTERVENORS' FIRST REQUESTS FOR PRODUCTION
TO BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

To: Brazos Electric Power Cooperative, Inc., by and through its attorneys of record, including Jason L. Boland, Norton Rose Fulbright US LLP, 1301 McKinney Street, Suite 5100, Houston, Texas 77010, jason.boland@nortonrosefulbright.com

Pursuant to Rule 7034 of the Federal Rules of Bankruptcy Procedure and Rule 34 of the Federal Rules of Civil Procedure, Calpine Corporation, on behalf of itself and each of its affiliates,

¹ The Debtor in this chapter 11 case, along with the last four digits its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's proposed claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

including but not limited to Calpine Energy Services, L.P., Calpine Energy Solutions, LLC, and Cavallo Energy Texas, LLC (collectively, “Calpine”); Tenaska Power Services Co. (“TPS”); NRG Energy, Inc., on behalf of itself and each of its affiliates, including but not limited to Direct Energy LP, NRG Cedar Bayou Development Company, LLC, NRG South Texas LP, NRG Texas Power LLC, NRG Power Marketing LLC, and Cirro Group, Inc. (collectively, “NRG”); ENGIE Energy Marketing NA, Inc., on behalf of itself and each of its affiliates, including but not limited to Anson Solar Center LLC, Live Oak Wind Project LLC, Engie Long Draw Solar LLC, Las Lomas Wind Project LLC, Jumbo Hill Wind Project, LLC, Prairie Hill Wind Project, LLC, Solaire Holman 1 LLC, Seymour Hills Wind Project LLC and Engie Resources LLC (collectively, “ENGIE”); Talen Energy Supply, LLC, on behalf of itself and each of its affiliates, including but not limited to Talen Energy Marketing, LLC (collectively “Talen”); Golden Spread Electric Cooperative, Inc. (“GSEC”); South Texas Electric Cooperative, Inc. (“STEC”); and NextEra Energy Marketing, LLC, on behalf of itself and certain of its affiliates (“NEM”) (together with Calpine, TPS, NRG, ENGIE, GSEC, and STEC, the “Defendant Intervenors”), serve the following Requests for Production on Brazos Electric Power Cooperative, Inc. (the “Debtor”) and requests that the Debtor produce for inspection the items requested at the office of the undersigned counsel, on or before November 22, 2021.

INSTRUCTIONS & DEFINITIONS

1. Reference is made to ERCOT's First Requests for Production to Brazos Electric Power Cooperative, served by ERCOT on August 31, 2021 (the "First Document Request") and to ERCOT's Second Requests for Production to Brazos Electric Power Cooperative Inc., served by ERCOT on September 16, 2021 (the "Second Document Request"). Except as otherwise provided in this Request for the Production of Documents (the "Request"), the Defendant Intervenor incorporate by reference all Instructions and Definitions from the First Document Request and the Second Document Request.

REQUESTS FOR PRODUCTION

REQUEST NO. 1:

All Documents You produced to any other party in this Adversary Proceeding in response to any requests for production served upon You by any other party in this Adversary Proceeding. This Request should be supplemented on an ongoing basis to the extent You produce any additional responsive Documents pursuant to any prior or future request for production in this Adversary Proceeding.

REQUEST NO. 2:

All Documents produced to You by anyone, whether party or third party, in response to any discovery request or third party subpoena in this Adversary Proceeding. This Request should be supplemented on an ongoing basis to the extent third parties produce any additional Documents to You pursuant to prior or future third party subpoenas in this Adversary Proceeding.

REQUEST NO. 3:

All responses to requests for admission or interrogatories You served on any other party in this Adversary Proceeding in response to any requests for admission or interrogatories served upon You by any other party in this Adversary Proceeding. This Request should be supplemented on an ongoing basis to the extent You produce any additional response to any prior or future request for admission or interrogatory in this Adversary Proceeding.

Houston, TX
October 22, 2021

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***Counsel to NRG Energy, Inc., ENGIE Energy
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CERTIFICATE OF SERVICE

I certify that on October 22, 2021, I caused a copy of the foregoing document to be served by electronic mail on the following counsel of record for the Debtor:

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